

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

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LEE MOMIENT,

*Plaintiff,*

v.

No. 12 C 4540

Judge Virginia Kendall

HARRIS AND HARRIS,

EXPERIAN INFORMATION SOLUTIONS, INC.

*Defendant.*

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**JOINT STATUS REPORT**

ATTORNEYS OF RECORD

The plaintiff, Lee Momient, is appearing Pro se at this time.

Lee Momient  
P.O. Box 608082  
Chicago, IL 60660  
773-712-3989

Attorney for Defendant Experian Information Solutions, Inc. ("Experian"):

Ellenna V. Berger<sup>1</sup>  
JONES DAY  
77 W Wacker  
Chicago, IL 60601  
312-269-1573

**BASIS FOR FEDERAL JURISDICTION**

The Court has federal question jurisdiction over this action because the claims alleged against defendants arise under the Fair Credit Reporting Act, 15 U.S.C. §§ 1681-1681u, and the Fair Debt

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<sup>1</sup> The trial attorney for Experian has not been designated at this time.

Collection Practices Act, 15 U.S.C. §§ 1692-1692p. Thus, this court has original subject matter jurisdiction over the above-captioned action pursuant to 28 U.S.C. § 1331 and 15 U.S.C. §§ 1681p and 1692k.

#### NATURE OF CLAIMS

The Defendant Harris requested and received the Plaintiff's consumer credit report from Defendant Experian. The plaintiff asserts various FCRA claims against both defendants; FDCPA claims against defendant Harris and various state law claims against each.

#### PRINCIPAL LEGAL AND FACTUAL ISSUES

The principal legal and factual issues are whether Defendant Harris had a permissible purpose to acquire plaintiff's credit report; and whether Experian has proper procedures in place with respect to the FCRA and releasing the plaintiff's credit report to defendant Harris.

#### JURY

The plaintiff has demanded a trial by Jury.

#### DISCOVERY

No discovery has taken place to date. The parties anticipate that discovery shall take less than 6 months.

#### TIME FOR TRIAL

The parties anticipate that they will be ready for trial by April 2013

#### MAGISTRATE JUDGE

The parties have not consented to proceed before the Magistrate Judge.

#### SETTLEMENT

Plaintiff has reached a settlement agreement with Harris.

Plaintiff and Experian have discussed settlement, but have not been able to reach an agreement. It is unclear whether the parties will be able to settle the dispute.